

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LOCAL 338, RWDSU,

Plaintiff,

- against -

TRADE FAIR SUPERMARKETS,
a/k/a TRADE FARE SUPERMARKETS,

Defendant.
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06-CV-3215 (BMC) (JO)

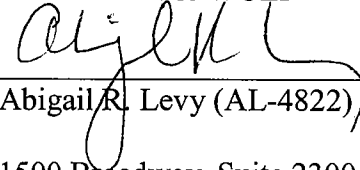
Oral Argument Requested

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the annexed Memorandum of Law, the Statement of Undisputed Material Facts Pursuant To Local Civil Rule 56.1, and the Affidavit of Abigail R. Levy, and upon all prior proceedings herein, Plaintiff, through its counsel, Friedman & Wolf, will move this Court, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, before the Honorable Brian M. Cogan, United States District Judge, on a date to be set by the Court, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment against Defendant Trade Fair Supermarkets a/k/a Trade Fare Supermarkets, and in favor of Plaintiff, and for such other and further relief as to the

Court seems just and proper.

Dated: October 18, 2006
New York, New York

FRIEDMAN & WOLF
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